UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,492	07/03/2003	David Hayes	ALPINE.034AUS	6349

7590   12/29/2004

MURAMATSU & ASSOCIATES
Suite 225
7700 Irvine Center Drive
Irvine, CA 92618

EXAMINER
NGUYEN, THU V

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/614,492	HAYES, DAVID
	Examiner	Art Unit
	Thu Nguyen	3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 October 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>19 October 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

The amendment filed on October 19, 2004 has been entered. By this amendment, all

claims 1-16 are pending in the application.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-2, 4-7, 9-10, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chenault et al (US 6,640,187) in view of Timothy et al (US 2003/0114206).

As per claim 1, Chenault teaches a navigation method comprising detecting an arrival at

an actual position of the destination (col.7, lines 35-46; col.8, lines 1-4); updating address data

(col.10, lines 4-11). Chenault does not explicitly teach using the difference between the assumed

position of a destination and the actual position of the destination to match the street address

number, and conducting the steps for guiding a user by a single navigation system. However,

Chenault teaches using the actual position address to update the map data so that the more

precise location of the named location is determined (col.10, lines 4-11, lines 53-58), Chenault

further teaches storing the address data at the actual distance from an end point or at a portion

percentage to the road segment length (col.9, lines 54-67; col.10, lines 1-3). Further,

determining the difference from a two known data to determine the magnitude of the mismatch

would have been well known. Moreover, Chenault teaches the capability of storing actual

vehicle location associating with the address in the single navigation system 110 using the

address data collection program 400 (fig.2), and Timothy suggests updating the address data with

the actual position of the destination (para 0101) within a single mobile unit 1 (fig.2). It would

have been obvious to a person of ordinary skill in the art at the time the invention was made to

determine the difference between the actual position data and the assumed position of destination

determined from the fractional portion of percentage of the road segment of Chenault, and to

update address location information within the mobile unit 110 (fig.1) of Chenault in order to

determine the amount of mismatch between the assumed data and the actual data indicating

position of the destination on a street segment and to eliminate network communication.

As per claim 2, storing and retrieving updated data as destination for determining a route

to navigate a vehicle would have been well known.

As per claim 4-5, Chenault teaches detecting the arrival at the destination including

receiving an arrival signal based on any condition or event indicating that the trip is over (col.7,

lines 34-65). Moreover, events such as stationary condition of a vehicle in more than a

predetermined length of time, or input signal entered from the user indicating stopping condition

would have been both well known and obvious.

As per claim 6, calculating position of a destination cursor to be displayed on a map would have been well known.

As per claim 7, adjusting the distance of the known actual position from an end point of a street segment to a specific location of a complex to specify the address of the complex at the specific location as preferred by the designer requires only routine skill in the art.

As per claim 9-10, 12-15, refer to claims 1-2, 4-7 above.

3.   Claims 3, 8, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chenault et al (US 6,640,187) in view of Timothy et al (US 2003/0114206) and further in view of Espositio (US 6,101,496).

As per claim 3, 8, storing and retrieving updated data as destination for determining a route to navigate a vehicle would have been well known. Moreover, Chenault teaches evenly allocating address number on the street (col.9, lines 64-67; col.10, line 1) and Esposito teaches allocating new address numbers by interpolating two known address numbers (fig.4; col.6, lines 2-6). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to perform interpolation using evenly allocating address concept of Chenault in the data record of Chenault in order to adjust destination addresses between the known updated address and an end point position to improve accuracy to assumed position of the locations

between the updated address and the end point. Further with respect to claim 8, guiding a user to the position of a known destination on the map would have been well known.

As per claim 11 and 16 refer to claims 3, 8 above.

Response to Arguments

Applicant's argument on page 15- first paragraph of page 16 is moot in view of the new ground of rejection (refer to rejection in claim 1 in the 35 USC 103 rejection section above).

In response to applicant's argument on page 16, last paragraph, although Esposito does not explicitly teach using the interpolation to correct the position of the address numbers that already exist, in col.7, lines 1-11, lines 30-37, Esposito teaches the capability of improving accuracy of the geocoded addresses and the capability of enhancing the database of geocoded and addresses, an ordinary person skilled in the art at the time the invention was made would be able to use the suggestion from Esposito and especially use the interpolation concept taught by Esposito to correct the position of the address number already exist.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 23, 2004

**THU V. NGUYEN
PRIMARY EXAMINER**